

Docket No.: C1037.70038US01
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Arthur M. Krieg et al.
Serial No.: 10/735,592
Confirmation No.: 2533
Filed: December 11, 2003
For: CPG NUCLEIC ACIDS AND METHODS OF USE
Examiner: N. M. Minnifield
Art Unit: 1645

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: August 20, 2010

Signature: /Nicole Millette Lapomardo/ Nicole Millette Lapomardo

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed July 20, 2010, Applicant hereby elects claim 94, Group III for continued examination without traverse.

Applicants acknowledge that upon allowance of the generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provide by 37 C.F.R. §1.141. Having made this election, Applicants expressly reserve the right to file one or more divisional or continuation applications on the subject matter of the nonelected inventions.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 23/2825 under Docket No. C1037.70038US01 from which the undersigned is authorized to draw.

Dated: August 20, 2010

Respectfully submitted,

By /Helen C. Lockhart/
Helen C. Lockhart
Registration No.: 39,248
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
617.646.8000